

## **ORDINANCE NO. 2020-30**

### **AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, EXTENDING A DECLARATION OF LOCAL DISASTER.**

**WHEREAS**, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and,

**WHEREAS**, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and,

**WHEREAS**, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and,

**WHEREAS**, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and,

**WHEREAS**, President Trump declared a national emergency on March 13, 2020; and,

**WHEREAS**, Governor Greg Abbott declared a public health disaster on March 13, 2020; and,

**WHEREAS**, on March 15, 2020, the Center for Disease Control ("CDC") lowered the recommended number of persons at mass gatherings to 50 persons; and

**WHEREAS**, on March 16, 2020, the CDC lowered the recommended number of persons at mass gatherings to 10 persons; and

**WHEREAS**, On March 19, 2020, Texas Governor Greg Abbott issued orders, prohibiting social gatherings in excess of 10 people; and

**WHEREAS**, on March 22, 2020, the Governor issued orders dealing with hospital care during this crisis; and

**WHEREAS**, at his March 22, 2020 press conference, the Governor acknowledged that the urban centers may need to enact more stringent measures to address this public emergency and stated that he would applaud the cities for doing so; and

**WHEREAS**, on March 31, 2020, the Governor has issued Executive Order GA-14, implementing statewide essential services and activities protocols; and,

**WHEREAS**, on April 27, 2020, the Governor has issued Executive Order GA-18, implementing a statewide plan, conditions, and limitations for reopened nonessential services; and,

**WHEREAS**, on April 27, 2020, the Governor has issued Executive Order GA-20, rescinding travel restrictions and quarantine mandates for visitors from the City of New Orleans and State of Louisiana; and,

**WHEREAS**, on May 5, 2020, the Governor has issued Executive Order GA-21, relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and,

**WHEREAS**, as of May 13, 2020, there are 42,403 persons confirmed to have COVID-19 in Texas, 1,158 Texans have died from COVID-19; and,

**WHEREAS**, as of May 13, 2020, there are 231 persons confirmed to have COVID-19 in Bell County and 217 persons in Coryell County; and,

**WHEREAS**, over 1.4 million cases of COVID-19 have been reported in the United States, including 89,953 deaths; and,

**WHEREAS**, the Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and,

**WHEREAS**, a large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and,

**WHEREAS**, the Center for Disease Control recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and,

**WHEREAS**, the Center for Disease Control recommends the use of videoconferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and,

**WHEREAS**, the Center for Disease Control recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and,

**WHEREAS**, households with vulnerable seniors and persons with underlying health conditions should conduct themselves as if they were a significant risk to the vulnerable senior or person with underlying conditions; and,

**WHEREAS**, the identification of "community spread" cases of COVID-19 in the United States has signaled that transmission of the virus is no longer limited to those who traveled to China, or had contact with travelers who have visited China; and,



**WHEREAS**, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and,

**WHEREAS**, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and,

**WHEREAS**, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Copperas Cove residents; and,

**WHEREAS**, the scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Ordinance helps preserve critical and limited healthcare capacity in the City; and,

**WHEREAS**, the City of Copperas Cove will work collaboratively with Coryell, Bell and Lampasas Counties, and other area agencies and political subdivisions to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and,

**WHEREAS**, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of Copperas Cove, and may exercise the powers granted to the governor on an appropriate local scale; and,

**WHEREAS**, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and,

**WHEREAS**, the Mayor, under the Texas Disaster Act of 1975, has authorized the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and,

**WHEREAS**, the Mayor has determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19; and,

**WHEREAS**, on March 20, 2020, the Mayor has made a Declaration of Public Health Emergency, and further declared all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and,

**WHEREAS**, on March 26, 2020, the City Council of the City of Copperas Cove approved an ordinance extending the declaration of local disaster through April 3, 2020.

**WHEREAS**, on April 3, 2020, the City Council of the City of Copperas Cove approved an ordinance extending the declaration of local disaster through April 30, 2020.

**WHEREAS**, on April 30, 2020, the City Council of the City of Copperas Cove approved an ordinance extending the declaration of local disaster through May 15, 2020.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE:**

- Section 1.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2.** That the local state of disaster and public health emergency as declared by Mayor Bradi Diaz for the City of Copperas Cove pursuant to §418.108(a) of the Texas Government Code, and previously extended by City Council, is hereby superseded, amended, and extended until June 15, 2020 with the consent of the Copperas Cove City Council pursuant to §418.108(b) of the Government Code.
- Section 3.** Pursuant to §418.108(c) of the Government Code, this extension of declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- Section 4.** Pursuant to §418.108(d) of the Government Code, this extension of declaration of a local state of disaster and public health emergency continues in operation the City of Copperas Cove emergency management plan.
- Section 5.** Pursuant to §418.020(c) of the Government Code, this extension of declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.
- Section 6.** Pursuant to §122.006 of the Health and Safety Code and the general police powers of a Home Rule City, the City may take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules.
- Section 7.** All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such



conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.

**Section 8.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 9.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section 10.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

**Section 11.** This Ordinance shall be in force and effect from and after its final passage.

**PASSED, ADOPTED, and APPROVED the 15<sup>th</sup> day of May, 2020.**


  
Bradi Diaz, Mayor

**ATTEST:**

  
Lisa Wilson, City Secretary



**APPROVED AS TO FORM:**

  
Denton Navarro Rocha Bernal  
& Zech, P.C., City Attorney